THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 2497 of 1996

Dated 05-08-2005

Between:

1 Smt. Narindi Sai Lakshmi, W/o. Apparao.
R/o. 40/1-A, Ramarajyanagar,
Vijayawada-12.
2 N.Apparao,
R/o. 40/1-A, Ramarajyanagar,
Vijayawada-12.

..... PETITIONERS

AND

1 The Collector, Machilipatnam,
Krishna.
2 The Mandal Revenue Officer, Vijayawada, Urban Mandal,
Vijayawada.

.....RESPONDENTS

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION No: 2497 of 1996

ORDER:

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No representation on behalf of the petitioners.

Heard the learned Government Pleader.

The grievance of the petitioners is that respondents are trying to evict them forcibly from the house in their occupation from several years.

The case of respondents is that 1st petitioner was allotted 51 Sq.Yds in R.S.No.33 of Vidyadharapuram village in 1977 and that that land was taken away by the Municipality for widening of the road and that a road was laid thereon, after providing an alternative site and that 1st petitioner gave a statement to the effect that, she was given an alternative site, of 51 Sq.Yds in R.S.No.33 of Vidyadharapuram village.

Petitioners did not choose to file a reply affidavit countering the allegations in the counter affidavit. In the statement recorded by the Mandal Revenue Officer, first petitioner clearly stated that the building in the site in respect of which the writ petition is filed is in the occupation of her brothers-in-law, and did not produce any document to establish their possession over the land in respect of which they filed this petition.

In the above circumstances petitioners are not entitled to any relief and hence the petition is dismissed. No costs.

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05th August, 2005

mrb